

1900-046 Chancery Causes: John S. Reese & Co] vs. Daniel Stapleton &
Lee Co.

Manning, Miller, Fields, Bryant, Davis, Sargent

CA-Debt
T-Property

To the Honorable W.T. Miller, Judge of the Circuit Court for Lee County, Virginia:

Humbly complaining, your orators, George O. Manning and Samuel Bevan Miller, merchants and partners in trade under the style and firm name of John S. Reese & Co., of Baltimore, Md., will respectfully represent and show unto your honor that on the 4th day of April 1896 before H.C. Joslyn, one of the Justices of Lee County, they obtained a judgment against Daniel Stapleton, a citizen of Lee County, for the sum of twenty-one dollars with interest thereon from the 5th day of Sept. 1893 till paid and one dollar cost.

Your orators further represent and show unto your honor that on the 4th day of April 1896 an execution was issued by the said Joslyn Justice as aforesaid, and placed in the hands of J.B. Shufflebarger, a Constable of said County, for collection, who on the 22nd day of June 1896 returned the same "Not executed, no property found."

Your orator will further show your honor that on the 10th day of April 1896 said judgment was duly docketed in Judgment Lien Docket No. 3., page .

Said Judgement, Execution, and return thereon is herewith filed as a part hereof marked "A".

Your orators will further show your honor that the said Daniel Stapleton is the owner of a small tract of land lying on the South Side of Wallen's Ridge, in Lee County, about 7 miles east of the Court house of said County, adjoining the lands of Wm. ^{Bryant} ~~Fields~~ and others. This land, however, is not charged to the said Stapleton on the Land Books of said County. Your orators are informed that the said Stapleton purchased said land from the said Wm. ^{Bryant} ~~Fields~~ who executed to him a title bond, but that the said ^{Bryant} ~~Fields~~ has never executed to said Stapleton a deed of conveyance. Your orators are also informed that the said Stapleton is still due the said Fields a part of the purchase price of said land, probably \$75.00 or \$100.00. The title bond aforesaid has never been recorded.

Your orators are informed and charge that their judgment aforesaid constitutes a lien upon the land aforesaid of the said Stapleton.

Your orators have been informed that there is at least one other judgment which is a lien against said land of said Stapleton, the amount and date of which they do not know.

Now the object of this bill is to enforce the lien of your orators' judgment and to subject the real estate aforesaid of the said Stapleton to the payment thereof, and being without an adequate remedy at law, your orators pray your honor's court of chancery to take cognizance of their cause and grant them the proper relief.

To this end your orators pray that the said Daniel Stapleton and Wm. ^{Bryant} ~~Fields~~ be made the parties defendant to this bill; that they each be required to answer the same, but they need not do so under oath, as that is expressly waived; that the said Daniel Stapleton be required to file his title bond, if he has one, and if not that he be required to state the quantity of land he owns, giving bounds as nearly as possible; that the said Wm. ^{Bryant} ~~Fields~~ especially answer whether he has ever executed to said Stapleton a title bond or deed of conveyance for said land, and how much, if anything, is due to him from the said Stapleton on the purchase price of said land; that a commissioner be appointed to ascertain the liens against said land; that upon a final hearing a ^{or} ~~decree~~ be rendered ordering a sale of said land to satisfy the liens against it; and that your orators be granted all other, further, general relief as their cause merits.

May Sp. issue, directed &c.

Li. Dyatt, p. q.

John S. Reese & Co.
vs. $\frac{3}{3}$ Bill in Chy.
Daniel Stapleton et.
als.

1896 2nd Oct rules bill filed
Sum $\frac{3}{3}$ & as to Daniel
Stapleton & D. N.
" 1st Nov rules taken the
last Monday in Oct
D. N. Confd & cause set for
hearing.

Virginia---Lee County, To-wit:

To J. B. Shuffelbarger, Constable of said County.

I hereby command you to summon, Daniel Stapleton

If to be found in your District to appear at Jonesville in
said county, on the 4 day of April 1896 before me or such
other Justice of said County, as may be there to try this warrant, to answer
complaint of J. S. Reese & Co

and upon a claim for money not exceeding \$100, exclusive of interest, to-wit:
For the sum of \$21 due by Not waving interest and then and
there make return of this warrant.

Given under my hand the 11 day of March 1896

H. C. Goshyn J. P.

J. S. Reese & Co On the 4 day of April 1896.
Against Daniel Stapleton At (In debt) Jonesville in said County.

JUDGMENT, That the Plaintiff recover of the Defendant \$21.00 with interest thereon from the
5th day of Sept 1893 till paid and \$1.00 for costs

H. C. Goshyn J. P.

VIRGINIA—Lee County, To-wit: To J. B. Shuffelbarger Constable of said County.

I command you in the name of the Commonwealth of Virginia, that of the goods and chattles of

Daniel Stapleton, in your county, you cause to be made the sum of \$21.00
with interest thereon from the 5th day of Sept 1893 till paid, which J. S.
Reese & Co has recovered before me in a
warrant in debt, and also the sum of \$1.00 which were adjudged to the said J. S.
Reese & Co for costs in prosecuting said warrant.

Given under my hand the 4 day of April 1896

H. C. Goshyn J. P.

J. S. Rees & Co
To } Warrant

Daniel Stapleton

Executed this 24th
day of March 1896

J. B. Shuffbarger C. D. C.

Not executed no
process found this
the 22nd day of June 1896

J. B. Shuffbarger
1896

ocketed in Judge-
ment Lien &cketed
April 10th 1896

D. V. F. Richmond
clerk

"R."

To the Honorable W.T. Miller, Judge of the circuit court for
Lee county, Virginia:

The petition of C.C. Davis.

Humbly complaining your petitioner, C.C. Davis, will respectfully state that on the *23* day of *April* 1898 he obtained before W.A. Baker, one of the Justices of said County, a judgment against one Daniel Stapleton for the sum of \$28.00 with interest thereon from the *23* day of *April* 1898 until payment and \$1.00 costs; that on the day of said judgment was duly docketed in J.L.D. No. 3, page . Said judgment is here filed as a part hereof marked "A".

From the report of L.T. Hyatt, Special Commissioner, filed in the chancery cause entitled "John S. Reese & Co. vs. Daniel Stapleton et al." pending in said court your honor will see that the said Commissioner has made sale of a tract of land belonging to the said Stapleton to W.J. Noel for the sum of \$93.11.

Your petitioner states that by reason of his judgment aforesaid being a lien upon said land he is interested in the the sale or rather a re-sale of the said land; he stated that said land is worth more money, and he here offers on a re-sale of the same to cause it to bring at least the sum of \$102.42, an advance of ten per cent on the amount it brought at the former sale, and he here tenders ~~xxx~~ a bond to that effect, and prays that said sale be set aside, that a re-sale be ordered, and he will ever pray &c.

C.C. Davis, by counsel.

L.T. Hyatt, Atty.

Know all men by these presents that I, L.T.H^{yatt}, am held and firmly bound unto the Commonwealth of Virginia in the sum of two hundred dollars, and I waive the benefit of my homestead exemption as to this obligation. Witness my hand and seal this the 8th day of June, 1898,

The condition of the above obligation is such that if ~~thax~~ on a re-sale of the property sold by L.T.Hyatt, Special Commissioner, and reported in his report filed on the 26th day of May, 1898, in the chancery cause entitled John S. Reese & Co. vs. Daniel Stapleton et als. pending in the circuit court for Lee county, Virginia, the said C.C. Davis shall cause said property to bring the sum of \$102.-42, then this obligation to be void, otherwise to remain in full force and virtue.

L. T. Hyatt (Seal.)

John S. Reese & Co.
vs. $\frac{3}{2}$ In Chancery
Daniel Stapleton
et al.

Petition of C. C.
Davis praying an
upset bid. & bond.

VIRGINIA--Lee County, to-wit:

To N. G. Burgan, Constable of Said County.

I HEREBY COMMAND YOU TO SUMMON Daniel Stapleton, if to be found in your District, to appear at
Jonesville, in said County, on the 15 day of April, 1898, before me or such
other Justice of said County as may then be there to try this Warrant, to answer the complaint of C. C. Davis and upon
a claim for money not exceeding \$100, exclusive of interest, to-wit: for the sum of \$ 27-25, due by W. L. Given under
my hand the 28 day of February, 1898.

N. A. Baker J. P.

C. C. Davis
Against

Daniel Stapleton

On the 23rd day of April, 1898.

In Debt

At

Jonesville, in said county.

JUDGMENT, That the Plaintiff recover of the Defendant, \$ 27.00, with interest thereon from the 23rd
day of April, 1898, till paid, and \$ 1.00 for costs.

N. A. Baker J. P.

VIRGINIA, Lee County, to-wit:

To N. G. Burgan, Constable of Said County:

I COMMAND YOU, in the name of the Commonwealth of Virginia, That of the goods and chattles of Daniel Stapleton
in your county, you cause to be made the sum of \$ 27.00 with interest thereon from the 23rd day of
April, 1898, till paid, which C. C. Davis has recovered before me
in a Warrant in Debt, and also the sum of \$ 1.00, which were adjudged to said C. C. Davis
for costs in prosecuting said Warrant. Given under my hand 23rd
day of April, 1898. N. A. Baker J. P.

C. Davis
vs. J. Warrant
Daniel Stapleton

Execution full
this the 8 day of
April 1898

W. G. Burgeon & Co

1898. Aug 15. Cr by aut. on sale of land \$7.76

John S. Reese & Co., Plaintiffs.

----Against----(-----In Chancery.

Daniel Stapleton, et als., Defendants.

To the Hon. W. T. Miller Judge of the Circuit Court of Lee County, Va.:

-----Your petitioner, B. F. Sargent would respectfully represent and shew unto your Honor that in the Chancery cause of John S. Reese & Co. against Daniel Stapleton, et als., pending in your Honor's Court, L. T. Hyatt, Commissioner, on the 26th day of September 1897, sold in said cause a certain peice or parcel of land belonging to the defendant Daniel Stapleton, and said to contain 41 acres, to J. F. Witt for the sum of \$25.00. Now, Your petitioner proposes and binds himself on a re-sale of said tract of land to make the same bring the sum of \$40.00, and he has executed and files herewith his bond to the Commonwealth of Virginia, ^{marked "Bond"} binding himself in the penalty of \$30.00 to make said tract of land on a re-sale bring the said sum of \$40.00. And he prays that said re-sale may be ordered. And as in duty bound he will ever pray, etc.

Orr & Blankenship

Attorneys for Petitioner.

B. H. Sergeant
Petitioner
vs.
Mr. John S. Reese & Co
Daniel Stapleton & Co

Know all men by these presents that
~~we~~ ^{B. F. Sargent and George M. Blaukenship}
~~+ C. E. Chubb~~ are held and firmly bound unto the
Commonwealth of Virginia in the
just and full sum of eighty dol-
lars. And we waive the benefit of
our homestead exemptions as to
this obligation. Witness our hands
and seals the 1st day of November
1897.

The condition of the above obligation
is such that if on a re-sale of the
property sold by L. T. Hyatt under
decree in the Chancery cause pend-
ing in the Circuit Court for Lee
County, entitled John S. Reese & Co.
vs. Daniel Stapleton et al. on the
20th day of Sept. 1897 and re-
ported by him to said court, said
report being filed in said cause on
the 13th day of Oct. 1897, the said
~~S. M. Hyatt~~ ^{B. F. Sargent} shall cause said prop-
erty to bring the sum of forty dol-
lars, then this obligation is to be
void, otherwise to remain in full
force and virtue.

B. F. Sargent (seal)
George M. Blaukenship (seal)
C. E. Chubb (seal)

B. H. Sargent.

Lo { Bond \$80—

The Commonwealth.

(Bond)

John S. Reese & Co.,

Plaintiffs

vs.

(In Chancery.)

Daniel Stapleton et als.

Defendants.

This cause came on again this day to be heard upon the papers formerly read in the cause, and the report of L.T.Hyatt, special commissioner, this day filed, showing (1) the transfer and assignment by S.M.Parker to S.E.Rasnic of his purchase of the forty-one acre tract of land mentioned in the proceedings of this cause, and (2) the payment in full by the said S.E.Rasnic of the deferred purchase money bonds for \$34.64 each and the disbursement of the same, to which report there are no exceptions, and was argued by counsel. On consideration whereof it is adjudged, ordered and decreed that the said report be confirmed, and that L.T.Hyatt, who is hereby appointed a special commissioner for the purpose, do make, execute and deliver to the said S.E.Rasnic a deed conveying to him the said forty-one acre tract of land with covenants of special warranty, and report his action to court.

And thereupon the said L.T.Hyatt filed his report showing the execution of the said deed and with it presented said deed for the inspection and approval of the court, to neither of which there are any exceptions. It is therefore adjudged, ordered and decreed that said report and deed be and they are each hereby confirmed and approved; that the said S.E.Rasnic pay to the said L.T.Hyatt the sum of five dollars for making and executing said deed, for which execution may issue; and that this cause be stricken from the docket.

that this cause be stricken from the docket.

and executing said deed, for which execution may issue; and pay to the said J.T. Hyatt the sum of five dollars for making each hereto confirmed and approved; that the said S.E. Henshaw be and is decreed that said report and deed be and they are which there are any exceptions. It is therefore adjudged, ordered for the inspection and approval of the court, to neither of the execution of the said deed and with it presented said deed and thereupon the said J.T. Hyatt filed his report showing that his action is correct.

And first of land with covenants of Special Warranty; and the said S.E. Henshaw a deed conveying to him the said forty-one commissioners for the purpose, to make, execute and deliver to him, and that J.T. Hyatt, who is hereto appointed a special

John A. Reese & Co.,
vs. Dukey
Daniel Stapleton et al.

Deceit Trial

Entered on Dekey
Order Book No. 6
Page 444

Enter this decree
Nov 10th 1900.
H A W Steery

This cause came on again this day to be heard upon the merits
Daniel Stapleton et als.

vs.

(In Chancery.)

John A. Reese & Co.,

Plaintiffs

John S. Reese & Co.,

Plaintiffs.

vs.

In Chancery.

Daniel Stapleton and Wm. Bryant,

Defendants.

This cause came on this the 8th day of March, 1899, to be heard upon the papers formerly read in the cause and the report of L.T. Hyatt, special commissioner, filed herein on the 24th day of February, 1899, showing the payment to W.J. Noel of \$33.23 and the delivery to the said W.J. Noel, by mail, of the two bonds for \$29.94 each as directed by the decree entered herein on the 9th day of June, 1898, and showing also a re-sale of the 41 acre tract of land in the proceedings in this cause mentioned to Samuel M. Barker at the price of one hundred and three dollars (\$103.00), and was argued by counsel. On consideration whereof, the said report having been filed more than ten days and there being no exceptions thereto, it is adjudged ordered and decreed that the same as well as the sale therein report^d be and they are hereby confirmed and approved; that said commissioner Hyatt disburse to those entitled the thirty-three dollars and seventy-two cents (\$33.72) costs and commissions in his hands; that the said commissioner proceed to collect from the said Samuel M. Barker and L.M. Barker, his security, on same, the two bonds for the sum of thirty-four dollars and sixty four cents ~~each~~ (\$34.64) ^{each} as they severally become due, and disburse the same, when collected, to the parties entitled, or, if said Barker desires to pay the said bonds before they become due, the said commissioner is hereby authorized to receive such sums as the said Barker may desire to pay thereon at any time; that said commissioner report his action hereunder to a future term of this court; and that this cause be continued.

John S. Reese & Co.

vs $\frac{3}{2}$ In Chancery.

Daniel Stapleton et al.

Decree confirming
sale to Barker.

Entered in Chancery Or-
der Book No 6 p. 245.

Enter this

W. Z. W.

Mar. 8th 1899.

John S. Reese & Co.

Plaintiff,

vs.

In Chancery.

Daniel Stapleton and William Bryant,

Defendants.

This cause came on this day to be heard upon the papers formerly read herein, the report of L.T. Hyatt, Special Commissioner, filed herein on the 26th day of May, 1898, showing a sale of 39 acres of the 41 acre tract of land in the bill and proceedings mentioned to W.J. Noel for the sum of ninety-three dollars and eleven cents (\$93.11), the petition of C.C. Davis praying an up-set bid, the bond accompanying said petition, and was argued by counsel.

Upon consideration thereof it is adjudged, ordered and decreed that said sale be set aside; that said commissioner re-pay to the said W.J. Noel the thirty-three dollars and twenty-three cents (\$33.23) cash payment received from him and deliver up to him his said two bonds for the sum of twenty-nine dollars and ninety-four cents (\$29.94) each; [#] that the said Commissioner re-sell said lands in pursuance to the requirements of the decree rendered in this cause on the 8th day of June, 1898, starting the 41 acre tract at \$102.42 as the bid of said C.C. Davis; that said Commissioner report his action hereunder to some future term of this court and that the cause be continued.

That said judgment set out in said petition is a lien upon said 41 acre tract of land;

John S. Reese & Co

vs $\frac{3}{2}$ In Chy -

Daniel Stapleton et al.

Decree for Re-Re-
Sale.

Eu. C. & D. 6 p. 111.

Sam Barber \$143 -

Enter this decree

June 9th 1898.

W. J. W.

Leircuit Court for Ree County:

John S. Reese & Co., Plaintiffs

vs.

{ In Chancery.

Daniel Stapleton and Wm

Bryant, - - - - - Defendants.

Upon motion of B. F. Sergeant,
by counsel, leave is granted him to file his pe-
tition in this cause, ~~which leave was granted~~ and the same
was accordingly filed. Thereupon
this cause came on this day to be
heard upon the papers formerly
read herein; the report of C. F. Hy-
att, Special Commissioner, filed on
the 13th day of October, 1892, showing
a sale of the 41 acre tract of land
in the bill and proceedings mentioned
to J. F. Witt for the sum of twenty-
five dollars; the petition of said
B. F. Sergeant whereby he proposes
and bids himself, on a resale of
said land, to make the same
bring the sum of forty-dollars,
The bond of the Sergeant, G. W. Blau-
kenship and C. E. Cheek filed with
said petition; and was argued by
counsel. On consideration where-
of, the court doth adjudge, order
and decree that said sale be set
aside; that said Commissioner pay

John S. Reese & Co.

v3 { In Chancery

Daniel A. Stowell & Co.

Decree of a re-sale.

Ex. C.O.B. No. 6 p. 67.

Enter this decree.
November 8th 1897.

M. J. M.

back to said J. F. Witt the twenty-five dollars received from him; that said Commissioner~~s~~ resell said lands in pursuance to the requirements of the decree rendered in this cause on the 8th day of June, 1897, starting the 41 acre tract at \$40.00, ~~the~~ the bid of said Sergeant; that said Commissioner report his action to the next term of this court; and that the cause be continued.

Circuit Court for Lee County:
John S. Reese & Co. Plaintiffs
vs. In Chancery.

Daniel Stapleton and
William Bryant, Defendants.

This cause came on again this day to be heard upon the papers formerly read herein, ~~and~~ the report of A. M. Goins, Special Commissioner filed herein on the 28th day of April 1897, the statement with said report marked "L", the exhibit therewith marked "Z", the deposition filed with said report marked "D", and was argued by counsel. On consideration whereof, and ~~there~~ the said report having been filed for more than ten days and there being no exceptions thereto, it is adjudged, ordered and decreed that the said report and statement therewith be and the same are each confirmed and approved; that Wm Bryant recover from the said defendant, Daniel Stapleton the sum of fifteen dollars and eighty-eight cents (\$15.88) with interest on fifteen dollars and fifty cents (\$15.50), a part thereof from the 7th day of June 1897,

until payment, which recovery is adjudged to be a first lien on the 41 acre tract of land sold by the said Bryant to the said Stapleton; That Geo. W. Zion recover of the said Daniel Stapleton the sum of fourteen dollars and three cents (\$14.03), with interest on eleven dollars, a part thereof, from the 7th day of June 1897, until payment, which recovery is adjudged to be a second lien on said 41 acre tract of land; That the plaintiffs recover of the said Daniel Stapleton the sum of ~~twenty~~ eight dollars and twenty-four cents (\$28.24) with interest on twenty-one dollars (\$21.00), a part thereof, from the 7th day of June 1897, until payment, and the costs of this suit, to be taxed by the clerk of this court, which recovery is adjudged to be a third lien of said 41 acre tract of land; That the said William Bryant also recover from the said Stapleton the sum of one hundred and fifty-nine dollars and sixteen cents (\$159.18) with interest on one hundred and fifty-five dollars (\$155.00) a

part thereof from the 7th day of June 1897, until payment, which is adjudged to be a first lien on the 25-acre tract of land sold by said Bryant to said Stapleton; that the above recovery in favor of Geo. W. Lion be adjudged to be a second and the above recovery in favor of the plaintiffs be adjudged to be a third lien on said 25-acre tract of land; that unless the said Daniel Stapleton, or some one for him, do within 30 days from the adjournment of this court, pay to those entitled the amounts of said several recoveries, then it shall be the duty of L. S. Hyatt, who is hereby appointed a Special Commissioner for the purpose to proceed, after having advertised the same for at least thirty days prior thereto, by posting written or printed notices thereof at three or more public places in said County, one of which shall be the front door of the Court-house of said County and another in the neighborhood where said lands lie, to expose to sale the said lands, selling first the 41 acre tract or a sufficiency thereof to sat-

isfy the liens against it, by public outcry to the highest bidder, at the front door of the Courthouse of said County, on the first day of some term of the County Court, upon a credit of one and two years except as to costs and commissions of sale which he will require to be paid down in cash, taking bonds of the purchaser with approved security for the deferred payments, and, if on a sale of the 41 acre tract it should bring a sum sufficient to pay the liens against it, then the said Commissioner will not expose the 25-acre tract to sale unless requested so to do by the said William Bryant, and in no event shall said Commissioner make sale of said lands until he shall have executed bond before the Clerk of this Court in the penalty of three hundred dollars, conditioned to faithfully discharge his duties hereunder and to account for all sums of money he may receive as Commissioner; and that said Commissioner report his action here-

under to some future term of this
Court; and that this cause be
continued.

John S. Reese & Co.
vs. $\frac{3}{2}$ In Chy.
Daniel Stapleton
et al.

Decree for Sale.

C.O.B. p. 576-7

6

Enter this decree

W. J. M.

June 8 1897.

In the Circuit Court for Lee County:
John S. Reese & Co. Plaintiffs

vs.

In Chancery.

Daniel Stapleton and

W^m Bryant. . . . Defendants.

This cause came on this day to be heard upon the bill of the complainants and exhibits thereunto, process duly served on both of said defendants, and was argued by counsel. On consideration whereof, and it appearing to the court that process has been duly served on the said defendants, Daniel Stapleton and W^m Bryant for more than fifteen days before the first day of this term of the court, and that they have each failed to appear, plead, answer or demur, it is adjudged ordered and decreed that said bill be taken for confessed against said defendants; that R. S. ^{J. M. Goins} ~~Pennington~~, who is hereby appointed a Commissioner for the purpose, do ascertain and report the liens against the real estate of the said defendant Daniel Stapleton, showing amounts, priorities &c. to some future term of this court; that the said com-

John S. Reese & Co

vs $\frac{3}{2}$ Deere No. 1.

Daniel Stapleton

vs Wm Bryant.

Referring to Am. Co-
ins, Comr. to ascer-
tain liens.

Eu. C.O.B. p. 522.

Enter this decree
Mch. 4th 1897.

W. F. M.

measures take in writing and re-
turn with this report all evidence
showing that any party hereto, that
the report any matter deemed per-
tinent by himself or required by
any party in interest; and that
this order be continued.

(1 copy)

Virginia

At a circuit Court continued and held for Lee County at the Court-house thereof on Monday, the 8th day of November 1897.

John S Reese & Co Plaintiffs }
vs } in
Daniel Stapleton & Wm Bryant Defendants } Chancery

Upon Motion of B. F. Sargent by Counsel, leave is granted him to file his petition in this Cause, and the same is accordingly filed. Thereupon this Cause came on this day to be heard upon the papers formerly read therein; the report of L. T. Hyatt, Special Commissioner filed on the 13th day of October 1897, showing a Sale of the 41 acre tract of land in the bill and proceedings mentioned to J. F. Witt for the sum of twenty five dollars; the petition of said B. F. Sargent whereby he proposes and binds himself on a re-sale of said land, to make the same bring the sum of forty dollars; The bond of the said Sargent, and G. W. Blankenship and L. E. Cheek his sureties filed with said petition; and was argued by Counsel. On Consideration whereof, the Court doth

adjudge, order, and decree that said
Sale be set aside; that said Commissioner
pay back to said Witt the twenty five dollars
received from him; that said Commissioner
re-sell said land in pursuance to the re-
quirements of the decree rendered in this
Cause on the 8th day of June 1897. Starting
the 41 acre tract, however at the sum of
of forty dollars as the bid of said Sergeant;
that said Commissioner report his action
to the next term of this Court; and that
the Cause be continued.

A Copy

Lester A. B. Munsey Clerk

John S. Reese to
of Copy of Decree

Daniel Stapleton at

presented Nov 29th 1897
By delivering an attested
Office Copy of the within
Decree to J. J. Hyatt
in Le County
W. P. Weston S. C. C.

Copy for L. J. Hyatt

Clerk vs. to

Virginia

At a circuit Court continued and held
for Lee County at the Court-house thereof on
Wednesday the 3rd day of March.

In the Circuit Court for Lee County;

John S Reese & Co

Plff

vs

Daniel Stapleton & Wm Bryant Defts

In Chancery

This Cause came on this day to be heard
upon the bill of the Complainant and exhibits
therewith, process duly served on both of said
defendants and was argued by counsel.
On consideration whereof, and it
appearing to the court, that process has
been duly served on said defendants
Daniel Stapleton and William Bryant
for more than 15 days before the
first day of this term of the court,
and that they have each failed to
appear, plead, answer or demur, it is
adjudged, ordered and decreed that said
bill be taken for confessed against
said defts; that F. M. Gains, who is
hereby appointed a Commissioner
for the purpose, do ascertain and report
the liens against the real estate of the
said deft Daniel Stapleton, showing
amounts, priorities &c, to some future

term of this Court; that the said Commissioner
take in writing and return with his report
all evidence offered by any party thereto;
that he report any matter deemed per-
tinent by himself, or required by any
party in interest. And this cause is
continued.

A Copy Teste:

A. B. Munsey
Clerk

John S. Reese & Co
Copy of Decree

Daniel Stables et al

Presented by delivering
an office copy of the report
in Decree to A. M. Hoins
April 5th 1897.

J. M. Theatore

Left for W. P. Weston Dec

Clerk \$75

Virginia

At a circuit court continued and held for Lee County at the courthouse there of, on Tuesday, the 8th day of June 1897
John S. Reese vs Plaintiffs)

vs
Daniel Stapleton & Mrs Bryant Defts) Enchancery

This cause came on again this day to be heard upon the papers formerly read herein, the report of A. Mr. Goins Special Commissioner filed herein on the 28th day of April 1897 the statement with said report Marked "L" the exhibit therewith marked "Z" the deposition filed with said report Marked "D", and was argued by counsel. On consideration whereof, and the said report having been filed for more than ten days, and there being no exceptions thereto, it is adjudged, ordered and decreed that the said report and statement therewith be and they are each hereby confirmed, and approved; that Mrs Bryant recover from the said defendant Daniel Stapleton the sum of fifteen dollars and eighty eight cents \$15.88 with interest on fifteen dollars and fifty cents (15.50) a part thereof from the 7th day of June 1897 until payment which recovery is adjudged to be a first lien on the 40 acre tract of land sold by said Bryant to said Stapleton. that Geo. W. Gibb recover of said Daniel Stapleton the sum of

fourteen dollars and three cents \$14.03 with interest on eleven dollars a part thereof from the 7th day of June 1897 until payment which recovery is adjudged to be a second lien on said 41 acre tract of land; that the plaintiffs recover of the said Daniel Stapleton the sum of twenty eight dollars and twenty four cents (\$28.24) with interest on twenty one dollars (\$21.00) a part thereof from the 7th day of June 1897 until payment and the costs of this suit, to be taxed by the clerk of this court, which recovery is adjudged to be a third lien on said 41 acre tract of land; that the said William Bryant also recover the sum of one hundred and fifty nine dollars and eighteen cents (\$159.18) with interest on one hundred and fifty five dollars (\$155.00) a part thereof from the 7th day of June 1897 until payment which recovery is adjudged to be a first lien on the 25 acre tract of land sold by said Bryant to said Stapleton; that the above recovery in favor of Geo. W. Zinn be adjudged to be a second and the above recovery in favor of the plaintiffs a third lien on said 25 acre tract of land; that unless the said Daniel Stapleton, or some one for him, do within thirty (30) days from the adjournment of this court, pay to those entitled the amounts of said several recoveries then it shall be the

duty of L. T. Hyatt, who is hereby appointed a special commissioner for the purpose to proceed, after having advertised the same for at least thirty days prior thereto, by posting written or printed notices thereof at three or more public places in said county, one of which shall be at the front door of the court house of said county and another in the neighborhood where said lands lie, to expose to sale the said lands selling first the 41 acre tract or a sufficiency thereof to satisfy the liens against it, by public auction to the highest bidder at the front door of the court house of said county, on the first day of some term of the county court upon a credit of one and two years ~~except~~ as to the costs and commissions of sale, which he will require to be paid down in cash, taking bonds of the purchaser with approved security for the deferred payments and if on a sale of the 41 acre tract it should bring a sum sufficient to pay the liens against it, then the said commissioner will not expose the 25 acre tract to sale unless requested so to do by the said William Bryant, and in no event shall said commissioner make sale of said lands until he shall have executed bond before the clerk of this court in the penalty of three hundred dollars conditioned to faithfully discharge his duties hereunder

Jno S Reeves
vs } copy of Decree.
Daniel Stapleton et al

Executed by delivering
a copy of the within
decree, this July 21st 1871.
J. M. Weston D. S. for
W. P. Weston S. G. &

~~Executed~~

copy for L. T. Hyatt
Clerk \$1.50

and to account for all sums of money he
may receive as Commissioner; that
said Commissioner report his action
hereunder to some future term of this
Court. And that this cause be continued

Attest
Jesse C. B. Munsey Clerk.

John S. Reese & Co.)
 Vs.) In Chancery.
Daniel Stapleton et al.)

The deposition* of Daniel Stapleton ~~and others~~ taken before me, A.M.Goins, Special Commissioner in the above styled cause, to be considered in the determination of the matters and questions therein in controversy. This April 26, 1897.

Preset; L.T.Hyatt, Atty. for Pliffs.

,, Daniel Stapleton and Wm. Bryant, defts., in person.

The witness Daniel Stapleton, being first duly sworn, deposes and says:-

Ques. How much land do you own?

Ans. I own 66 acres, as near as I can get at it. It is located on the South side of Wallen's Ridge, and adjoins the lands of Childers on the west, Bryant on the east, Slagle on the north, and Samuel Barker on the south.

Ques. 2. When and from whom did you buy this land?

Ans. 2. I bought the land from Wm. Bryant, in the year 1885, as well as I remember. I bought the land in two parcels; the first I bought as above, and the remainder, I bought from Wm. Bryant also, and in the year 1895.

Ques. 3. How many acres did you buy the first time?

Ans. 3. Forty- one acres, nearly so. I bought it by the boundary and afterwards found it to contain this amount.

Ques. 4. How much did you give Mr. Bryant for this 41 acres?

Ans. 4. I gave him \$200, or was to.

Ques. 5. Sate the contract between you and Bryant as to the purchase of this boundary.

Ans. 5. I was to pay \$50 down, in work, and this I did; the balance I was to pay in three equal annual installments. I executed notes for the deferred payments.

Ques. 6. Did Wm. Bryant execute to you a bond for the conveyance of this tract when paid for?

Ans. 6. He did. We left this bond in the hands of H.T. Furgerson to be held by him. I suppose he holds it yet.

Ques. 7. How much do you still owe on this tract?

Ans. 7. \$15.50, with some interest. About three months ago Mr. Bryant and I settled up and I gave a new note for this balance. I have lifted all of the original purchase money notes.

Ques. 8. How much do you owe on the last tract purchased by you, and how much did you give for said tract?

Ans. 8. I was to give \$200, and owe about all of that sum yet.

Ques. 9. Did you take a title bond for this last tract?

Ans. 9. I did. I think I have it at home.

Ques. 10. What was the contract between you and Bryant as to the payment of this last land?

Ans. 10. I was to pay for it one and two years time. The first payment was due May 1, 1896, and the second May 1, 1897, and I executed notes for these payments.

Ques. 11. State the contract in regard to the purchase of this last land.

Ans. 11. I was to clear 10 acres of land in the year 1896, and 10 acres in 1897; I was to clear the land and fence it, and place it in a state for cultivation, and this was to be a payment in full of the purchase of the land; that is, of the last tract.

Ques. 12. How many acres have you cleared under this contract?

Ans. 12. About four and a half acres, but it is not fenced.

And further this deponent said not.

Daniel Stapleton.

State of Virginia, County of Lee, to-wit:-

I, A.M.Goins, Special Commissioner in the above styled cause, do hereby certify that the foregoing deposition of Daniel Stapleton was duly taken under oath after notice, and subscribed before me, and at my office in the town of Jonesville, on the 26th day of April, 1897.

Given under my hand, this 26, day of April, 1897.

A. M. Goins,
Special Commissioner.

John S. Reese & Co.

vs { Deposition

Daniel Stapleton et al

"D."

Special Commissioner.

Given under my hand, this 26th day of April, 1897.

and at my office in the town of Jonesville, on the 26th day of April, was duly taken under oath after notice, and subscribed before me, do hereby certify that the foregoing deposition of Daniel Stapleton

I, A. H. Collins, Special Commissioner in the above styled cause, State of Virginia, County of Lee, do-wit:-

And further this deponent unit not.

Ans. 12. About four and a half acres, but it is not fenced.

Ques. 13. How many acres have you cleared under this contract? In full of the purchase of the land, that is of the tract first. It is a state for cultivation, and this was to be a payment acres in 1897. I was to clear the land and fence it, and place Ans. 11. I was to clear 10 acres of land in the year 1896, and 10 land.

Ques. 11. State the contract in regard to the purchase of this tract

COMMISSIONER'S REPORT.

John S. Reese & Co.)
) vs.) IN CHANCERY.
Daniel Stapleton et al.)

To the Hon. W.T. Miller, Judge of the Circuit Court for Lee County, Virginia.

Your undersigned Special Commissioner, appointed by decree entered in the above styled ^{cause} on March 4th, 1897, reports that, after giving notice of the time and place of his sitting to the parties in interest, he, on the 26th day of April, 1897, at his office in the town of Jonesville, the time and place designated by the notice, proceeded to perform the duties required of him by said decree of March 4th, 1897; and the plaintiffs being present by attorney, and the defendants in person, and your commissioner having taken such evidence as they offered, and such as he himself could obtain, and thought material to his assistance in the determination of the questions before him, and both the plaintiffs and defendants having announced that they had no further evidence to offer before your commissioner, he here respectfully submits his report.

Your commissioner is directed by said decree of March 4th, 1897, to ascertain and report the liens against the real estate of Daniel Stapleton, showing the amount of each lien, to whom due, the order of priority &c.

In response to the foregoing directions, your commissioner files herewith, as part hereof, statement "L", which is a full and complete list of all the liens against the real estate of the said Daniel Stapleton, the amount of each lien, to whom due, and the order of priority as represented by the numerical value of the figures in the margin.

It will be observed that statement "L" contains two statements. The first is the liens against what is designated as the 41-acre tract, being the first tract purchased by Daniel Stapleton from Wm. Bryant; the second is the liens against what is designated as the 25-acre tract, being the last tract purchased by the said Stapleton from the said Bryant.

The total amount of the liens in the first statement is \$58.15,

due as of June 7th, 1897; the total amount of the liens in the second statement is \$201.45, due as of June 7th, 1897, but liens "2" and "3" reported in the first statement are also reported as liens "2" and "3" in the second statement.

Your commissioner ascertains that the said Daniel Stapleton is the owner by purchase from one Wm. Bryant of about 66 acres of land, located near Wallen's creek, in Lee county, Virginia. This land was purchased by said Stapleton in two different parcels. The first parcel, consisting of about 41 acres, was purchased in the year 1885; the second parcel, consisting of about 25 acres, was purchased in the year 1895. To neither of these parcels has the said Stapleton a deed, but for each he has a title bond. The purchase price for the first parcel has been paid, with the exception of about \$15.50; the purchase price for the second parcel, which was \$200.00, the same to be paid in clearing, fencing and making ready for farming 20 acres of land for the said Wm. Bryant, and only about 4 1/2 acres of said 20 acres having been cleared according to contract, the principal part ^{of the purchase price} is still due the said Wm. Bryant. Your commissioner estimates the balance due on the last purchase, as of June 7th, 1897, at \$159.18.

Now having reported as fully as is possible from the evidence before him, and as he deems it material for him to report, your commissioner respectfully submits this his report. This April 28, 1897.

A. M. Goins,
Special Commissioner.

Fee for this Report \$ 6⁰⁰/₁₀₀

Fee charged to John S. Reese & Co.

I, A. M. GOINS, Special Commissioner in the above styled cause, do hereby make oath that I was diligently employed not less than 8 hours, in performing the services for which the fee, above stated, is charged, and do so certify, this 28th day of April, 1897.

A. M. Goins,
Special Commissioner.

STATEMENT OF LIENS.

List of Liens against the 41-acre tract of land belonging to Daniel Stapleton, in the order of priority as represented by the numerical value of the figures in the margin.

"1". To Bal. of purchase money lien due Wm. Bryant, as of Jan. 1st, 1897. (See Dep. of Daniel Stapleton filed herewith marked "D".),	\$15.50	
,, Int. on same to June 7th, 1897,	.38	\$15.88
<hr/>		
"2". To Judgment in favor of Geo. W. Zion, rendered by a justice of the peace, Sept. 22, 1894. (See copy of judgment filed marked "Z".),	\$11.00	
,, Int. on same from Sept. 22, '94, to June 7, '97,	1.78	
,, Costs on judgment,	1.25	\$14.03
<hr/>		
"3". To Judgment in favor of John S. Reese & Co., rendered by a justice of the peace, Apr. 4, '96. (See copy of judgment filed marked "R".),	\$21.00	
,, Int. from Sept. 5, '93, to June 7, '97,	5.99	
,, Costs on judgment,	1.25	\$28.24
<hr/>		
To Total Listed Liens on 41-acre tract,		\$58.15

+++++

List of Liens against the 25-acre tract of land belonging to Daniel Stapleton, in the order of priority as represented by the numerical value of the figures in the margin.

"1". To Bal. of purchase money due Wm. Bryant on this tract, as of June 7th, 1897. (See calculation herewith filed marked "C".),	\$159.18	
<hr/>		
"2". To Amt. of judgment lien "2", as above reported on the 41-acre tract,	14.03	
<hr/>		
"3". To Amt. of judgment lien "3", as above reported on the 41-acre tract,	28.24	
<hr/>		
To Total Listed Liens on 25-acre tract,		\$201.45

Statement "L"

A. M. GOINS,
Attorney at Law,
&
Com. Atty. for Lee County.

John S. Reese & Co., Plffs.,)
vs. Daniel Stapleton & Wm. Bryant,) In Chancery.

EXTRACT FROM DECREE.

"It is adjudged, ordered and decreed that A.M.GOINS, who is hereby appointed a commissioner for the purpose, do ascertain and report the liens against the real estate of the said Daniel Stapleton, showing amounts, priorities, to whom due, &c., to some future term of this court".

A Copy Teste:

A. B. Munsey
Clerk.

COMMISSIONER'S NOTICE.

The parties interested in the decree from which the foregoing is an extract, will take notice that, on the 26th day of April, 1897, at my office in the town of Jonesville, I shall proceed to execute the same, when and where they are requested to attend, with such books, papers, vouchers, and evidence as will enable me to comply with the order of the court. This April 5th, 1897.

A. M. Goins,
Special Commissioner.

John S. Reese & Co.
vs $\frac{1}{2}$ In Chg.
Daul. Stapleton &
Wm Bryant.

For Apr. 26th 1897.

Legal service is ac-
cepted for plffs.

L. J. Hyatt, atty.

Executed by delivering
copies of the within
to Daniel Stapleton
and Wm Bryant -

This Apr 23, 1897

Exam. ~~Blodgett~~

D. S. for M. P. Preston, S. L. C.

John S. Reese & Co.
vs. { Comr's Report

Daniel Stapleton et al.

Filed April 28, 1897.

A B Munsey Clerk

~~~~~  
Comr's fee \$6 <sup>00</sup>/<sub>100</sub>.  
~~~~~


Virginia,

Circuit Court for Lee County:
John S. Reese Geo.

vs $\frac{3}{2}$ In Chancery
Daniel Stapleton & Wm Bryant.

To The Hon. W.T. Miller, Judge
of the said Court:

The undersigned begs leave to re-
port as follows:

He was, by decree rendered in the
above styled cause on the 8th day of
June 1897, appointed a special com-
missioner, and directed to make
sale of the lands of Daniel Stapleton as
therein set out.

Pursuant to the requirements of
said decree he first executed before
the Clerk of the Court the required
bond; he then advertised the sale of
said land by posting written notices
thereof, one at the front door of the
Court house of said County, one at
Dot, Va., and another at the Post
Office at Chandler, Va.; on the 20th
day of September 1897, the day fixed by
said notice as the day of sale, at the
front door of the Court-house of said
County, at the noon recess of the
County Court, he offered said land

for sale, in the presence of quite a large number of citizens, on the terms mentioned in said decree, when J. F. Witt bid for said 41 acre tract the sum of \$25-00 and that being the highest bid the said 41 acres were knocked off to him at that price. Whereupon the said Witt paid to your Commissioner said sum of \$25-00 the same being a little less than the cost of the suit.

Your commissioner thinks this sale very poor, and believes that on a resale the land would probably bring a better price.

Very respectfully,
L. F. Syatt,
Spec. Commr.

John I. Reese & Co.
vs $\frac{3}{2}$ Report of Sale

Daniel Stapleton et al.

Filed Oct 13th 1897

A B Munsey Clerk

Notice! Sale of Land!

Pursuant to the requirements of a decree rendered by the Circuit Court for Lee County, on the 8th day of June, 1897, and of another decree rendered by said court, on the 8th day of November, 1897, in the chancery cause, pending in said court, entitled:

John S. Reese & Co.

Plaintiffs.

vs. & In Chancery.

Daniel Stapleton and

William Bryant - - - Defendants,

I will, on the 17th day of December, 1897, at the front door of the Court-house of said County, offer for sale, by public outcry, to the highest bidder, the 41 acre tract of land and the 25-acre tract of land, in the bill and proceedings mentioned, situated on the South Side of Waller Ridge, in said County, about 7 miles East of said court-house, belonging to the said Daniel Stapleton, starting the 41 acre tract at \$40.00 as the bid of B. F. Sergeant, on a credit of one and two years in equal installments, except the costs and commissions which I will require paid down in cash. This Novr 18th 1897.

L. T. Hyatt,

Special Commissioner.

The required bond has been executed. This Novr. 19th 1897.

A. B. Munsey Clerk

To the Honorable W.T. Miller, Judge of the Circuit Court for Lee County, Virginia:

By a decree of Your Honor, rendered on the 8th day of November, 1897, in the chancery cause, pending in Your Honor's said Court, entitled ~~xxDanielx~~ "John S. Reese & Co. vs. Daniel Stapleton et al." the undersigned was ordered to pay back to J.F. Witt the twenty-five dollars received from him at the former sale, and to resell said lands (the lands of Daniel Stapleton) in pursuance to the requirements of the decree rendered in said cause on the 8th day of June, 1897, starting the 41 acre tract at \$40.00, the bid of said Sergeant.

I now have the pleasure of reporting as follows:

First.--I paid to Mr. J.F. Witt the \$25.00 as required, taking in my receipt for the same which he had held since his payment of said sum to me on the day of the former sale.

Second.--I advertised the re-sale of the said land by posting three written notices thereof, one at the front door of the Court-house of said county, another at Chandler, Va/ just south of said Land and another at Dot, Va. just North of said land, the two last mentioned places being the nearest post-offices to said land. A copy of said notice is hereto attached as a part of this report.

Third.--On the ~~17~~¹⁶th day of December, 1897, at the front door of the said Court-house, in the presence of a considerable number of citizens, I offered said 41 acre tract for sale, starting it at \$40.00 as the bid of B.F. Sergeant. After considerable bidding 39 acres, to be laid off the western part of said tract so as to include the dwelling-house, orchard and buildings, was knocked off to W.J. Noell at the price of ninety-three dollars and eleven cents (\$93.11), the whole amount of the reported liens against it. Of this sum ^{9.31}thirty-three dollars and ^{22.42}twenty-three cents ^{more} costs and

commissions of sale and the residue was for the adjudged liens. The said Noell paid to me in cash said sum of \$33.23, and this sum I hold subject to the order of the court. The said Noell then executed to me his two bonds for the sum of twenty-nine dollars and ninety-four cents each, due in one and two years from day of sale respectively, each waiving the homestead exemption, with S.M. Barker as his surety. The security is reasonably good, and a confirmation of said sale is recommended.

Very Respectfully Submitted,

L. J. Hyatt

Special Commissioner.

John S. Reese & Co.
Vs. $\frac{3}{2}$ Court Report
of Re-Sale.

Daniel Stapleton et
al.

Filed May 26th 1898
At B. Munsey clk

To the Honorable W.T. Miller, Judge of the circuit court for Lee county, Virginia:

The undersigned special commissioner who was directed by a decree entered on the 9th day of June, 1898, in the chancery cause pending in said court entitled, "John S. Reese & Co. vs. Daniel Stapleton et al." (1) to pay to W.J. Noel the \$33.23 received from him at a former sale and to deliver up to the said Noel his two bonds for \$29.94 each; (2) to re-sell said lands in pursuance to the requirements of a decree entered in said cause on the 8th day of June, 1897, starting the said 41 acre tract at \$102.42 as the bid of C.C. Davis; and (3) to report to some future term, now begs leave to report that he has complied fully with the directions of said decree, that he paid to the said W.J. Noel the \$33.23; and sent to him by mail the said two bonds; and that on the 15th day of August, 1898, after having advertised the same as required by said decree, he offered the said tract of land, called the 41-acres tract, for sale by public outcry, to the highest bidder, at the front door of the court-house, starting the same at \$102.43 as the bid of C.C. Davis, when one Samuel Barker bid therefor the sum of \$103.00 and that being the highest and best bid the same was knocked down to him at that price. *The said sale was by the boundary.* Some time afterwards the said Barker paid to me in cash \$33.72 costs of suit and commissions of sale, and executed to me his two bonds for the sum of \$34.34 each, bearing date Aug. 15, 1898, and due in one and two years respectively with L.M. Barker as surety. The surety on these bonds is not as good as desired, but as the land is worth the money, your commissioner recommends a confirmation of said sale.

Very respectfully submitted,

L. J. Hyatt,
Special Commissioner.

John S. Reese v. Co.
vs $\frac{3}{2}$ In. Chancery
Daniel Stapleton
et al.

Report of 3^d Sale
to Samuel Barker.

Filed Feby 24 1899
A. B. Mussey
clk

To the Honorable H.A.W.Skeen, Judge of the circuit court
for said county of Lee, State of Virginia:

The undersigned special commissioner reports that pursuant
to an order of the said court rendered on the 10th day of No-
vember, 1900, in the chancery cause therein pending, entitled
" John S. Reese & Co. vs. Daniel Stapleton et als." he has
made and executed to the said S.E.Rasnic a deed conveying to
him the 41 acre tract of land mentioned in the proceedings of
the said cause with special warranty, and herewith files the
same for the inspectio and approval of the court.

Very respectfully submitted,

L. P. Wyatt

Special Commissioner.

John S. Reese & Co.
vs. { John Lehy.
Daniel Stapleton
et al.

Report of Deed.

Filed Nov 10th 1900.
A. B. Mursey Clerk

Special Commissioner.

to an order of the said court rendered on the 10th day of No-

The undersigned special commissioner reports that payment

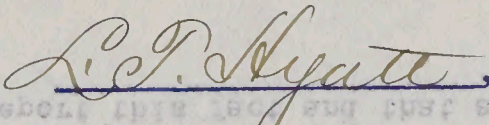
for said county of Lee, State of Virginia:

To the Honorable H.A.W. Green, Judge of the Circuit Court

To the Honorable H.A.W.Skeen, Judge of the Circuit Court
for Lee county, Virginia:

The undersigned special commissioner reports that pursuant
to a decree rendered in the chancery cause pending in said court
entitled "John S.Reese & Co. vs.Daniel Stapleton et als." on the
8th day of March 1899, he has collected and disbursed the two
notes for \$34.64 each, and that the purchaser, S.M.Barker, has
transferred his bid and purchase to S.E.Rasnic, in fact, that
the said Rasnic assumed to pay and did pay to me the said pur-
chase price except the costs; and the said Rasnic and the
said Barker both request me to report this fact and that a
deed be made to the said Rasnic.

Respectfully submitted,


Special Commissioner.

Special Commissioner.

John S. Reese vs. { Du Chy.
Daniel Stapleton & als.

Report Collection
Purchase money

Filed Nov. 10th
1900
A. B. Mursey Clerk

to a decree rendered in the chancery cause pending in said court
The undersigned special commissioner reports that payment
for said county, Virginia:

To the Honorable H. V. W. Shepard, Judge of the Circuit Court

1st Note.
\$100.00, due May 1st 1897.
45.00, clearing 4½ acres of land at \$10 per acre
\$55.00, Bal. due May 1, 1897
3.58, Int. to June 7, 1897.
\$58.58, Amt. due on first note as of June 7, 1897.

2nd Note
\$100.00, due May 1st, 1897.
.60, Int. to June 7, 1897.
\$100.60, Amt. due on 2nd note as of June 7, 1897.

\$58.58, Amt. of 1st Note.
100.60, Amt. of 2nd Note.
\$159.18, Amt. of 1st + 2nd Notes, due as of June 7, '97.

Calculation

6"

\$159.18.

John S. Reese & Co.

vs.

Daniel Stapleton & Wm Bryant.

Judgt. for favor of Wm Bryant 15.88

Int. on \$15.50 from June 7/97 to Dec. 17/1897 49

16.37

Judgt favor of Geo. W. Zion for \$14.03

Int. on 11.00 from June 7/97 to Dec 17/1897 .35-

\$14.38

Judgt favor of Plffs. 28.24

Int on 21 from June 7/97 to Dec 17/1897 .89

\$29.13

Recapitulation

Wm Bryant \$16.37

Geo. W. Zion 14.38

Plffs 29.13

2/ \$59.88

Notes each --- \$ 29.94

Total debts 59.88

Costs 28.57

\$ 88.45-

88.45-

4.66

\$93.11

X - 5/100 X = 88.45-

.95 X = 88.45 ; X = \$93.11

To be paid down.

28.57

4.66

\$33.23

.95 / 88.45- | 93.11

85.5- | 88.45

295- | 4.66

285- |

100

95.

5-0

93.11

.05-

4.65-88

Calculation

41 acres must bring
\$93.11

To be paid down
\$33.23

Two notes for
\$29.94 each
due two years.

J. P.

Geo W. Giron

Against

Daniel Stapleton

On the 22^d day of Sept 1894
(In debt.)

At Jonesville in said County.

JUDGMENT, That the Plaintiff recover of the Defendant \$ 11⁰⁰, with interest thereon from the 22^d day of Sept 1894 till paid, and \$ 1⁰⁰ for costs.

H. B. Joslyn, J. P.

VIRGINIA—Lee County, To-wit: To H. B. Cheek Constable of said County.

I command you in the name of the Commonwealth of Virginia, that of the goods and chattles of.....

Daniel Stapleton
in your county, you cause to be made the sum of \$ 11⁰⁰ with interest thereon from the 22^d day of Sept 1894 till paid, which Geo W. Giron

Giron has recovered before me in a warrant in debt, and also the sum of \$ 1⁰⁰ which were adjudged to the said Geo W. Giron

Giron for costs in prosecuting said warrant.

Given under my hand the 22^d day of Sept 1894.

A. Copy Teste
H. B. Joslyn J. P.

H. B. Joslyn J. P.

Copy
Geo W. Zion
vs.
Saml. Stapleton

"Z"

J. P. Free for
Copy 25

LAND SALE!

W. A. Hurst

VS

J. B. Olinger et als

IN CHANCERY.

To carry out the decree entered in the above styled pending cause, on the 7th day of June 1897, now in the Circuit Court of Lee County, I will proceed at the front door of Lee courthouse on the 20 day of September 1897 and at public out-cry, to the highest bidder, to sell the following described property, to-wit:

J. B. Olinger's home place

or enough thereof to pay \$ 61.26 ^{\$10.00} and the costs of this suit and the commissions of sale, upon the following terms, to wit: Enough cash to pay cost and commission, and the remainder in two equal installments due in One & Two from the date of sale. The purchaser will be required to execute bonds bearing interest from the date of sale with good personal security.

This 16 day of August 1897.

L. S. Wyatt

Special Commissioner.

The Commonwealth of Virginia,

To the Sheriff of the County of Lee---Greeting:

We Command you, That you summon *Daniel Stapleton and*
Wm Fields

to appear at the Clerk's Office of the Circuit Court of the County of Lee, at the rules to be held
for the said Court on the *3rd* Monday in *October*, 189*6*; to answer a

bill in Chancery, exhibited against *them* in our said court by
George O Manning and Samuel Bevan Miller
Merchants and partners in trade under the style
and firm name of John S Reese & Co

And have then there this writ. Witness, A. B. MUNSEY, Clerk of our said Court, at the court-
house, the *26th* day of *September* 189*6*, and in the
12 *1st* year of the Commonwealth.

A B Munsey Clerk.

200

John S Reese & Co

SUPCENA.

vs. {

IN CHANCERY.

Daniel Stapleton & Co

Duncan & Hayatt p. q.

To 2nd Oct Rules.

CIRCUIT COURT.

Executed in part by
delivering a copy
of the within Summons
to Daniel Stapleton
on October 5. 1896

Not Executed on
Wm J. Hill to not found
this Oct 17th

Erion Bleeker 1896

Ed W Pans to 850

The Commonwealth of Virginia,

To the Sheriff of the County of Lee---Greeting:

We Command you, That you summon *Daniel Stapleton and*
William Bryant

to appear at the Clerk's Office of the Circuit Court of the County of Lee, at the rules to be held
for the said Court on the *3rd* Monday in *January*, 189*7*, to answer a

bill in Chancery, exhibited against *them* in our said court by
George O Manning and Samuel Bevin Miller
Merchants and partners in trade under the style
and firm of John S. Reese & Co

And have then there this writ. Witness, A. B. MUNSEY, Clerk of our said Court, at the court-
house, the *4th* day of *January*, 189*7*, and in the
12*th* year of the Commonwealth.

A. B. Munsey Clerk.

John Reese & Co

SUPCENA.

vs.

IN CHANCERY.

Daniel Stapleton et al

Duncan & Hyatt p. q.

To 2nd Jan'y Rules.

CIRCUIT COURT.

Executed on January
11th 1897 by delivering
a copy of the within
to Daniel Stapleton
& William Bryant
Evon Bledsoe
Ds

for W. P. Weston
SSC

The Commonwealth of Virginia,

To the Sheriff of the County of Lee---Greeting:

We Command you, That you summon *Daniel Stapleton and*
Wm Fields

to appear at the Clerk's Office of the Circuit Court of the County of Lee, at the rules to be held
for the said Court on the *3rd* Monday in *October*, 1896, to answer a

bill in Chancery, exhibited against *them* in our said court by
George O Manning and Samuel Bevin Miller
Merchants and partners in trade under the style
and firm name of John S Reese & Co

And have then there this writ. Witness, A. B. MUNSEY, Clerk of our said Court, at the court-
house, the *26th* day of *September*, 1896, and in the
12th year of the Commonwealth.

A B Munsey Clerk.

vs. { SUPRENA.
IN CHANCERY.

..... p. q.

To *Rules.*

CIRCUIT COURT.

Pliffs Costs

Clerk 8.07
 Tax 1.50
 Shuff 3.00
 atty \$5.00
 Court 6.00
 Estimated 8.00

\$38.57
 5.00

\$33.57
 5.00

\$28.57

John S. Reese vs

vs. $\frac{3}{2}$ Bill in Chy.

Daniel Clapleton et al.

R. T. Hyatt, p. q.

1896 2nd Oct rules bill filed & pa
 Exd go to Daniel Clapleton &
 D. Jr

" 1st Nov rules taken the last
 Monday in Oct D. & Couf
 & Cause set for hearing